

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (12-08)
Approved for use through 01/31/2009. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

1FW

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/825,867	
	Filing Date	April 16, 2004	
	First Named Inventor	Jason W. Chin	
	Group Art Unit	1656	
	Examiner Name	Kagnew H. Gebryesus	
Total Number of Pages in This Submission		Attorney Docket Number	54A-000240US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> PTO-1449 Form	<input type="checkbox"/> Interview Summary
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Cited References	<input type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Amendment / Response	<input checked="" type="checkbox"/> Copy of two EP Search Reports	<input type="checkbox"/> Request for Corrected Filing receipt
<input type="checkbox"/> Amendment and Request for Reconsideration	<input checked="" type="checkbox"/> Replacement Declaration	<input type="checkbox"/> Copy of Filing Receipt - marked up
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Replacement Application Data Entry Form
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Receipt Acknowledgement Postcard	<input type="checkbox"/> Terminal Disclaimer	Replacement Declaration Submission cover letter
<input checked="" type="checkbox"/> Information Disclosure Statement & Statement of Relatedness	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Authorization to Charge Deposit Account Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Stacy Landry, Reg. No. 42,779, Quine Intellectual Property Law Group, P.C.
Signature	
Date	March 18, 2009

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Kimberly Cheung		
Signature		Date	March 18, 2009

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TRANSMITTAL**For FY 2009**

MAR 23 2009

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 180.00

Complete if Known

Application Number	10/825,867
Filing Date	April 16, 2004
First Named Inventor	Jason W. Chin
Examiner Name	Kagnew H. Gebryesus
Art Unit	1656
Attorney Docket No.	54A-000240US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☒ Other (please identify): **Deposit Account**

☒ Deposit Account Deposit Account Number: **50-0893** Deposit Account Name: **Quine Intellectual Property Law Group, P.C.**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

Total Claims: _____ Extra Claims: _____ Fee (\$): _____ Fee Paid (\$): _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims: _____ Extra Claims: _____ Fee (\$): _____ Fee Paid (\$): _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	_____ / 50 = _____	_____ (round up to a whole number)	_____ x _____ = _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Other: **Submission of Information Disclosure Statement**

180

Other: _____

Other: _____

Other: _____

Other: _____

SUBMITTED BY

Signature

Registration No. 42,779
(Attorney/Agent)

Telephone

(510) 337-7871

Name (Print/Type)

Stacy Landry

Date

March 18, 2009

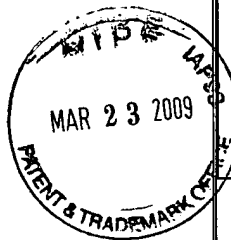
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited the
United States Postal Service first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,
on March 18, 2009

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By: Kimberly Cheung

Kimberly Cheung



Appl. No. : 10/825,867
Applicant : Jason W. Chin, et al.
Filed : April 16, 2004
TC/A.U. : 1656
Examiner : Kagnew H. Gebryesus

Confirmation No. 8312

Docket No. : 54A-000240US
Customer No. : 22798
TSRI Ref. No.: 983.4/ AMB0082P
Ambrx Ref. No. AMBX-0049.00US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.56, 37 CFR
§ 1.97 and § 1.98
AND MCKESSON STATEMENT OF RELATEDNESS**

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. Also, enclosed are copies of the European Search Reports for corresponding European Application No. 04759917.0 and related European Application No. 04785787.5. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

In view of McKesson Information Solutions v. Bridge Medical (Fed. Cir. 2007), and MPEP 2001.06(b)), Applicants specifically inform the Examiner that this case may be related to the following U.S. Patent Application(s):

USSN 10/126,927, filed April 19, 2002 by Peter G. Schultz, et al. issued as USPN 7,045,337 on May 16, 2006

USSN 11/017,550, filed December 17, 2004 by Peter G. Schultz, et al.

USSN 11/254,161, filed October 18, 2005 by Peter G. Schultz, et al. issued as USPN 7,368,275 on May 6, 2008

USSN 11/583,551, filed October 18, 2006 by Peter G. Schultz, et al.

USSN 11/800,455, filed May 4, 2007 by Peter G. Schultz, et al.

USSN 11/978,108, filed October 26, 2007 by Peter G. Schultz, et al.

USSN 11/978,156, filed October 26, 2007 by Peter G. Schultz, et al.

USSN 11/978,188, filed October 26, 2007 by Peter G. Schultz, et al.

USSN 11/978,157, filed October 26, 2007 by Peter G. Schultz, et al.

USSN 10/686,944, filed October 15, 2003 by Peter G. Schultz, et al. issued as USPN 6,927,042 on August 9, 2005

USSN 11/014,402, filed December 14, 2004 by Peter G. Schultz, et al. issued as USPN 7,238,510 on July 3, 2007

USSN 11/094,676, filed March 29, 2005 by Peter G. Schultz, et al. issued as USPN 7,129,333 on October 31, 2006

USSN 11/093,797, filed March 29, 2005 by Peter G. Schultz, et al. issued as USPN 7,262,040 on August 28, 2007

USSN 11/093,798, filed March 29, 2005 by Peter G. Schultz, et al. issued as USPN 7,183,082 on February 27, 2007

USSN 11/093,597, filed March 29, 2005 by Peter G. Schultz, et al. issued as USPN 7,199,222 on April 3, 2007

USSN 11/094,677, filed March 29, 2005 by Peter G. Schultz, et al. issued as USPN 7,217,809 on May 15, 2007

USSN 11/520,849, filed September 12, 2006 by Peter G. Schultz, et al.

USSN 11/580,203, filed October 11, 2006 by Peter G. Schultz, et al.

USSN 11/978,232, filed October 26, 2007 by Peter G. Schultz, et al.

USSN 11/978,233, filed October 26, 2007 by Peter G. Schultz, et al.

USSN 11/255,601, filed October 20, 2005 by Peter G. Schultz, et al. issued as USPN 7,378,263 on May 27, 2008

USSN 11/664,898, filed April 5, 2007 by Peter G. Schultz, et al.

USSN 12/082,214, filed April 8, 2008 by Peter G. Schultz, et al.

USSN 10/744,899, filed December 22, 2003 by Peter G. Schultz, et al.

USSN 12/224,773, filed September 4, 2008 by Youngha Ryu, et al.

The Examiner is also advised that at least the following US Patent Applications are related to the subject application by priority, i.e., the following cases are either in the priority chain for the subject application, or share at least one priority claim with the subject application:

USSN 11/710,655, filed February 22, 2007 by Jason Chin, et al.

USSN 11/710,672, filed February 22, 2007 by Jason Chin, et al.

USSN 11/978,172, filed October 26, 2007 by Jason Chin, et al.

USSN 11/978,223, filed October 26, 2007 by Jason Chin, et al.

USSN 11/978,121, filed October 26, 2007 by Jason Chin, et al.

USSN 10/826,919, filed April 16, 2004 by Alexander Deiters, et al.

USSN 10/561,121, filed May 23, 2006 by Alexander Deiters, et al.

The Examiner is specifically encouraged to review the file history, including art made of record, as well as any substantive action in the above application(s) including any Restriction Requirements, Office Actions, Responses, Appeals, Appeal Briefs, Examiner's Replies, Notice(s) of Allowance or Issuance in the above-mentioned related application(s), prior to taking any action in the subject application. Applicants further note that the Examiner is aware that prosecution may be ongoing in any related case, and that the Examiner will continue to evaluate the related cases as needed.

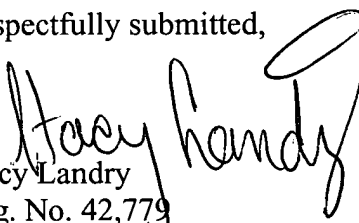
Per McKesson, the Examiner is specifically advised that all such related applications MUST be evaluated for double patenting and for obviousness-type double patenting issues prior to allowance of any claim in the subject application.

Applicants understand that, due to modern and easy access by the Examiner to related cases on PAIR, or other electronic databases available to the Examiner, there is no need for Applicant to submit copies of any paper in the file wrapper for any related case.

This IDS is being filed after the mailing date of the first Office Action and more than three months after the filing date, but prior to the Notice of Allowance or Final Office Action. Please deduct \$180.00, pursuant to 37 CFR §1.17(p), from the undersigned's Deposit Account

No. 50-0893. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Stacy Landry
Reg. No. 42,779

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

P.O. BOX 458

Alameda, CA 94501

(510) 337-7871

Fax (510) 337-7877